

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 16, 2007

DIVISION ONE

B195121	Harris et al. v. Superior Court, Los Angeles Co. (Liberty Mutual Ins. Co. et al., r.p.i.)	(Certified for Publication)
B195370	Liberty Mutual Ins. Co. et al. v. Superior Court, Los Angeles Co. (Harris et al. rpi)	

Plaintiffs' petition for writ of mandate (B195121) is granted. We direct the trial court to vacate its October 18, 2006 order (1) denying plaintiffs' motion for summary adjudication and (2) partially granting defendants' motion to decertify the class, and to enter a new and different order (1) granting plaintiffs' motion for summary adjudication of defendants' affirmative defense based on the administrative exemption and (2) denying in its entirety defendants' motion to decertify the class. Defendants' petition for writ of mandate (B195370) is denied. Plaintiffs shall recover their costs on both writ proceedings.

Rothschild, J.

I concur: Mallano, Acting P.J.
I dissent: Vogel (Miriam A.), J. (Opinion)

DIVISION ONE (continued)

B200615 Gail Hollander et al. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (XL Insurance America Group et al., r.p.i.)

The Court:

Therefore, let a peremptory writ issue, commanding respondent superior court to vacate its July 16, 2007 order, denying the motion to quash in Los Angeles Superior Court case No. BC365455, and, as soon as practicable, to conduct a new hearing to consider the motion on its merits. The temporary stay order is hereby terminated. The parties shall bear their own costs.

Mallano, Acting P. J. Vogel, J. Rothschild, J.

B194155 Los Angeles County, D.C.S.
 v.
 Danielle O.

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Suzukawa, J. and V. Guzman, Deputy Clerk.

Each of the following:

B192370 People v. Mejia
B193983 People v. McCarvey
B191743 People v. Callender
B195176 DCFS v. Gladys C.

Argument waived, cause submitted.

DIVISION FOUR (continued)

B195993 University of Southern California
 v.
 USC University Hospital

Merits:

Argued by Thomas J. Nolan for appellant and by Marshall Grossman for respondent. Cause submitted.

B180894 Matthews
 v.
 Reardon and Schwartz

Merits:

Argued by Robert Matthews appellant in propria persona and by Kevin O. Schwartz and Greg A. Garbacz for respondents. Cause submitted.

Court adjourned.

DIVISION FIVE

B197061 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Ofelia L.

The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION SIX

B192738 Juan Gonzalez (Not for Publication)
 v.
 Olga Gonzalez

The order is affirmed. Respondent to recover costs on appeal.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

B186643 People (Not for Publication)
 v.
 Salido

The judgment must be modified to impose three \$20 fees in light of the three convictions (§ 1465.8, subd. (a)(1).). The judgment is otherwise affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
 Perren, J.

B195721 Child Protective Services (Not for Publication)
 v
 Leticia Y.

The judgment (order terminating parental rights and identifying adoption as the permanent plan) is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

DIVISION SIX (continued)

B192691 People (Not for Publication)

V.

Chavez

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.

Perren, J.

B191561 People (Not for Publication)

V.

Bryant

The judgment is modified to reduce the restitution fine (§ 1202.4, subd. (b)(1)) and the parole revocation restitution fine (§ 1202.45) to the statutory minimum amounts of \$200 each. The trial court shall forward the amended abstract of judgment to the Department of Corrections. As modified, the judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.

Perren, J.

B192124 People (Not for Publication)

V.

Marinello

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.

Perren, J.

August 16, 2007 (Continued)

DIVISION SIX (continued)

B190090 McBride (Not for Publication)
v.
McBride

The judgment is reversed with directions to admit to probate the unsigned copy of the decedent's will. Appellant shall recover her costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B189940 People (Not for Publication)
v.
Young et al.

The judgments against Young and Green are affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SEVEN

B190186 Softex, Inc.
v.
American International Group, Inc.

Filed order denying petition for rehearing.

DIVISION SEVEN (continued)

B189384 People (Not for Publication)

v.

Castillo

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B188407 Marlin

v.

Aimco Venezia, LLC

Filed order certifying opinion for publication.

B191006 People

v.

Macias

Filed order denying petition for rehearing.